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7/24/03

KEG 2-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
George Washington Baughman III , *et al.*)
Serial No. 09/955,417) Examiner Phi Dieu Tran A.
Filed: September 18, 2001) Group Art Unit: 3637
For: "Method and System for Presenting)
Merchandising at an Outdoor Paved)
Surface"

COMMISSIONER OF PATENTS AND TRADEMARK
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.132

Larry L. Wood declares as follows:

- 1) That he is a citizen of the State of Ohio, having an address at 932 Highland Street, Columbus, Ohio 43201;
- 2) That he is an inventor named in the above-identified application for United States patent;
- 3) That his resume is annexed hereto as Exhibit A;
- 4) That he has been advised that the claims of the above-identified application for U. S. patent have been rejected under Section 103 of the Patent Statute, the Examiner citing Pool, U. S. Patent No. 2,638,636 (Pool) in view of Feleppa, U. S. Patent No. 5,700,102 (Feleppa) and Thornton, U. S. Patent No. 3,673,720 (Thornton) and Reilley *et al.*, U. S. Patent No. 5,120,941 (Reilley *et al.*);
- 5) That the present invention is directed to an outdoor retail merchandising technique wherein the otherwise poor environment of a retail parking lot is practically and seasonally converted into a merchandising region which is pleasant and accommodating to customers;
- 6) That Pool teaches against the concept of the present invention with showcases distributed along a roadway and the representation of a parking lot which is not used for any retailing purposes;
- 7) That he has been advised that the Examiner has asserted that it would have been obvious to modify Pool to show interconnecting the pole tops with horizontally

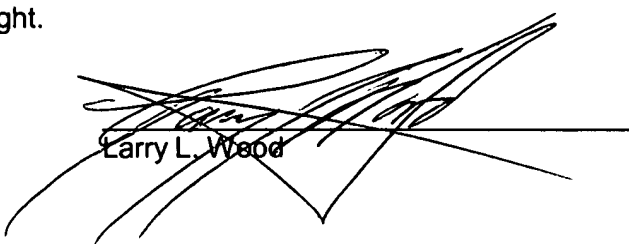
disposed signage support to define a three-dimensional retail region for a select number of merchandising bays extending adjacent the pole from at least a portion of the geometric boundary to the shopper aisle;

- 8) That the Examiner is incorrect in that assertion in that none of the references show an interconnection of pole tops with horizontally disposed signage supports to define a three-dimensional retailing region with a select number of merchandising bays extending between adjacent poles from at least a portion of the geometric boundary to a shopper aisle;
- 9) That the only sign-based pole interconnection shown in any of the references is a connection of two poles to support a slidable sign as shown in Thornton;
- 10) That Thornton does not show nor possibly suggest the interconnection defining a three-dimensional retail region;
- 11) That he has been advised that the Examiner has asserted that it would have been obvious to modify Pool to show flags being supported on a pole because having flags on poles would attract people's attention to the installation and thus enhance sales of product as taught by Feleppa;
- 12) That the Examiner is incorrect in that the purpose of the flags is to attract the customer's eyes to overhead signage as opposed to merchandise;
- 13) That he has been advised that in rejecting claim 8, the Examiner has asserted that it would have been obvious to modify Pool's modified structure to show a plurality of covers each being extensible over an anchor sleeve adjacent the surface;
- 14) That none of the references, taken singly or in combination, show or suggest the use of covers or associated anchor pattern geometries as claimed;
- 15) That he has been advised that in rejecting claim 10, the Examiner has asserted that it would have been obvious to modify Pool's modified structure to show a tension cable assembly;
- 16) That none of the references show or suggest, such a signage support which is readily erected by store personnel;
- 17) That he has been advised that in rejecting claim 11 the Examiner has asserted that it would have been obvious to modify Pool's modified structure to show a horizontally disposed lower signage support;
- 18) That none of the references show or suggest, either singly or in combination, a lower signage support connected between poles and with the lower border of an overhead sign;

- 19) That none of the references show or suggest a plurality of poles extending within select anchor sleeves in freely abutable contact with a sleeve engagement surface, there being no sleeve engagement surface shown or described anywhere in the references;
- 20) That he has been advised that the Examiner has asserted that it would have been obvious to modify Pool to show a retainer connection assembly affixed to each of the first poles at a location defining a bay access elevation above the surface when the poles are inserted in the sleeves;
- 21) That none of the references taken singly or in combination, show or suggest a retainer connection assembly as taught in the above-identified application;
- 22) That none of the references teach the presence of a bay access elevation;
- 23) That none of the references show or suggest lower retainer assemblies which are removably coupled between retainer connector assemblies as claimed and described in the application;
- 24) That none of the references teach or suggest the utilization of lower couplers as shown, for example, at 368 and 370 in Fig. 10;
- 25) That none of the references, taken singly or in combination show the utilization of cables and connector assemblies functioning to support overhead signage;
- 26) That none of the references taken singly or in combination show the use of breakaway couplers at a lower sign support;
- 27) That all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like, so made, are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18, and that such willful false statements may jeopardize the validity of the application or any document resulting therefrom.

Further Declarant sayeth naught.

Date 7/10/03


Larry L. Wood



6/19/2003

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Resume

Larry L. Wood

- 1993-present – Co-Founder and President, Eagle Exhibit Services, Inc., Columbus, Ohio. Eagle Exhibit Services designs, produces and manages trade show exhibit programs for clients representing a wide range of industries. Eagle designs, produces and installs exhibits for museums, retail and corporate environments. Additionally, Eagle Exhibit provides graphic design, production and finishing for retail application. For example, Eagle has provided all of the retail signage for Maytag stores in the U.S. and Canada for the last 4 yrs. In addition to my administrative duties and tending to my clients, I am heavily involved in the exhibit design function at Eagle Exhibit and often network with other designers and architects as required in order for the company to offer a broader range of design capability.
- 1973-1992 – Owner and President of Repro Group Ltd., Columbus, Ohio.
I purchased the stock of the other shareholders of Mid-Continent / Wood and re-named the company.
Over the course of 19 years, Repro Group evolved into a printing company, a blueprinting company and a trade show exhibit designer & producer. The trade show component was started in 1979. Repro Group Ltd. was sold in 1991.
- 1966-1973 – Co-Owner and President, Mid-Continent / Wood, Inc., Worthington, Ohio.
Map makers and keepers of log library and seismic records for oil & gas industry.
- 1963-1966 – Owner, Larry L. Wood, Oil Lease Maps, Mt. Gilead, Ohio.
Produce maps for the petroleum exploration industry.
- 1962-1963 – Surveyor and Cartographer, Morrow County Engineer's Office, Mt. Gilead, Ohio.
- 1957-1962 – Ohio State University, Columbus, Ohio – Industrial Engineering
Summer jobs – Draftsman, Fairfield Engineering, Marion, Ohio – Manufacturer of material handling equipment. Surveyor, V.N. Holderman & Sons, Highway Construction.
- Summer 1957 – Detail draftsman, HPM Corp.
- 1957, Graduated – Mt. Gilead High School, Mt. Gilead, Ohio
- Summer 1956 – Worked as Detail Draftsman, HPM Corp., Mt. Gilead, Ohio.
Detailed drawings for manufacture of injection molding machine and die stamping presses.